

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASON R. PUTNEY,

Defendant.

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8:08CR164

ORDER

This matter is before the court on defendant Jason R. Putney's (Putney) motion to dismiss (Filing No. 10). The motion does not comply with NECrimR 12.3 (b), in that the motion:

- (☒) Is not supported by a brief;
- (☐) Is not supported by an Index of Evidence as required by NECrimR 12.3(b)(2) or a statement of what evidence will be offered at an evidentiary hearing requested for the motion;
- (☐) Is not accompanied by a statement verifying that counsel for the moving party has conferred with opposing counsel in person or by telephone in a good-faith effort to resolve by agreement the issues raised by the motion and that the parties have been unable to reach such an agreement;
- (☐) Which requests an evidentiary hearing, does not contain a statement of the estimated time needed for the hearing, whether any interpreters will be needed, or whether any codefendant should be present and/or participate in the hearing.

Accordingly, the motion (Filing No. 10) is :

- (☒) Held in abeyance pending compliance with NECrimR 12.3(b)(1). Absent compliance **on or before June 4, 2008**, the motion will be deemed withdrawn and termed on the docket.
- (☐) Denied.

IT IS SO ORDERED.

DATED this 28th day of May, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge